

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:17-CV-00340-GCM**

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

ANTHONY SWATSWORTH,
ACDI GROUP, LLC,
SOLUTIONS TO PORTFOLIOS, LLC,

Defendants.

ORDER

THIS MATTER is before the Court on Plaintiff's Motion to Compel (Doc. No. 15), filed on October 12, 2017. Plaintiff served three sets of interrogatories and three requests for production of documents to Defendants on August 11, 2017. Defendants' responses were due within 30 days, on September 11, 2017. Without requesting an extension of time with this Court or showing good cause for delay, Defendants submitted their responses on September 26, 2017. These responses included objections to the interrogatories requesting information about Defendants' employees and finances.

Plaintiff asserts that because Defendants did not timely file their objections or demonstrate good cause for their delay, Defendants have waived any objections to the interrogatories. "Any ground not stated in a timely objection is waived unless the court, for good cause, excuses the failure." Fed. R. Civ. P. 33(b)(4). Defendants, in spite of receiving an extension of time to respond to this Motion, have not responded or posited any grounds for good cause to the Court. Thus, their objections have been waived.

Accordingly, Plaintiff's Motion to Compel is **GRANTED**. Defendants shall have fourteen (14) days to produce:

- Identification of employees pursuant to FTC interrogatory No. 7;
- Production of financial institution account statements for ACDI, STP, and any other entity owned or controlled by Swatsworth, pursuant to FTC request for production No. 8;
- Production of financial statements for ACDI, STP, and any other entity owned or controlled by Swatsworth, pursuant to FTC request for production No. 9;
- Identification of Swatsworth's financial institution accounts, pursuant to FRC interrogatory No. 13;
- Identification of government proceedings pursuant to FTC interrogatory No. 12; and
- Other documents meeting the specified requests of Plaintiff that have been withheld by Defendants under Defendants' general objections.

SO ORDERED.

Signed: November 8, 2017

A handwritten signature in cursive script, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
United States District Judge

